HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No.22312 OF 2007

DATE: 12.11.2007

Between:
Azad Ahmed Qureshi

..... PETITIONER

AND

The Station House Officer,
I Town Police Station,
Madanapalle, Chittoor District & others.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No.22312 OF 2007

ORDER: (Per Hon'ble Sri Justice A.Gopal Reddy)

Representation of the petitioner, who is a remand prisoner in Crime No.93 of 2007 on the file of I Town Police Station, Madanapalle,

addressed to the Hon'ble Chief Justice alleging that on 29.6.2007, Special Crime Branch Personnel arrested him in Madanapalle by falsely implicating him in the above crime, tortured him leading to fracture of right leg and to direct the concerned authorities to entrust the case of the petitioner to Central Bureau of Investigation, has been taken up as a writ petition and notices were issued to the respondents.

In response to the notice, Inspector of Police, Madanapalle, first respondent herein filed an affidavit stating that the petitioner is a native of Syedpura, Nowhatta, Srinagar, Jammu & Kashmir State having links with terrorist organizations like Laskari-e-Toiba and Ismali Front. ON 02.07.2007 at 9.00 a.m. on receipt of credible information that the petitioner is taking shelter at Door No.II-245-H, Kuravavanka, Madanapalli Town, he along with his staff rushed to the said place, found the petitioner lying on bed in a room with bandage to his right leg. The petitioner confessed that earlier, at the directions of Bilal Bag, he placed a bomb with a timer fixed at Rajeev Gandhi Park near Cannaught place and he was arrested by Delhi police and in that case he was convicted for five years and lodged in Thihar Jail from 2001 to 2005. After release from the jail, he developed intimacy with the extremist organizations, that he was given training by Abu-Al-Qama organization and was deployed to establish base in South India, as per the directions of L-e-T leaders. In the light of the confession, he was arrested on 2.7.2007 and after investigation, he was remanded to judicial custody. In the said crime, necessary charge sheet was filed and the same was numbered as P.R.C.No.44 of 2007 on the file of II Additional Judicial Magistrate of First Class, Madanapalle. The said matter was posted to 5.11.2007 for committal to the Sessions Court.

In view of the circumstances explained in the counter affidavit filed by the first respondent, the plea of the petitioner to direct the authorities concerned to entrust the matter to Central Bureau of Investigation, at this stage, does not arise.

The Writ Petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J.

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12th NOVEMBER, 2007 P. SWAROOP REDDY, J.

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